

HOUSE BILL REPORT

SHB 2608

As Passed Legislature

Title: An act relating to the volunteer fire fighters' and reserve officers' relief and pension act.

Brief Description: Defining performance of duty for the volunteer fire fighters' and reserve officers' relief and pension act.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Curtis, Takko, Bailey, Grant, Orcutt, Hinkle, McDonald, Clements, Moeller, Chandler, Wallace, O'Brien, Haler, Haigh, Alexander and Morrell).

Brief History:

Committee Activity:

Appropriations: 1/18/06, 1/24/06 [DPS].

Floor Activity:

Passed House: 2/11/06, 97-0.

Passed Senate: 2/27/06, 47-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Adds performance of other officially assigned secondary duties, including maintenance, public education, inspections and being on call or standby under the orders of the chief or other designated officer to the definition of "performance of duty" for members of the Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 29 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Clements, Cody, Conway, Darneille, Dunshee, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Schual-Berke, P. Sullivan, Talcott and Walsh.

Staff: David Pringle (786-7310).

Background:

The Volunteer Fire Fighters' and Reserve Officers' Relief and Pension System (Volunteer Fire System) provides relief and pension benefits for members of regularly organized volunteer fire departments and law enforcement agencies. Members who serve and make monthly retirement contributions for a period of at least 25 years are eligible to receive a pension benefit at age 65.

Relief benefits include payment of medical expenses and disability pensions for members injured in the performance of duty and payment of burial expenses and survivor benefits for members killed in the performance of duty. The performance of duty is defined to include working at company quarters, fire stations, law enforcement precincts, and at other places under the general orders of the chief or other officer, participating in training activities, or responding to calls to duty or other emergency calls in accordance with the rules of the local fire department or law enforcement agency.

Employers are required to participate in the death, disability, and medical benefit plans offered by the Volunteer Fire System, but participation in the pension component is optional. About 18,000 members are covered by the death, disability, and medical benefits, and 12,000 members are covered by the pension benefits. Volunteer Fire System benefits are administered by the Washington State Board for Volunteer Fire Fighters' and Reserve Officers' (Board) and paid out of the Volunteer Fire System Fund (Fund). Revenues to the Fund come from: a 40 percent share of the premium tax paid on fire insurance policies issued within the state; contributions from volunteer fire fighters, emergency workers, and reserve officers; contributions from participating municipal corporations and emergency service districts; and returns on the investment of moneys in the Fund.

Summary of Substitute Bill:

The definition of "performance of duty" or "performance of service" in the Volunteer Fire System includes other officially assigned duties that are secondary to duties as a fire fighter, emergency worker, or reserve officer, including maintenance, public education, inspections, investigations, court testimony, and fundraising for the benefit of the department. Performance of duty or service also includes being on call or standby under the orders of the chief or designated officer, except at the individual's home or place of business.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This was brought to my attention last year after a volunteer fire fighter fell out of a (municipal) Christmas tree. The fire fighter would not have been protected by the relief system even if the activity was sanctioned by the department. Volunteer fire fighters

perform many community functions - a full-time fire fighter would have been covered without question. The volunteers run medical response calls day or night, and this is a very low risk change to the system. Rate payers will be willing to cover any increased costs, and the volunteers will support this too. It is very hard to recruit and train new volunteers. Volunteers put their families at risk without this coverage being expanded. Without this communities lose too.

(With concerns) The language of the bill concerns us. We need limiting language to ensure that the duties being covered are relevant to the fire and reserve officers' lines of service.

Testimony Against: None.

Persons Testifying: Representative Curtis, prime sponsor; Don Bivins, Vancouver Fire Department; and Tom McDowell, Clark County Fire Department 13.

(With concerns) Bridgette Smith, Board for Volunteer Firefighters and Reserve Officers.

Persons Signed In To Testify But Not Testifying: None.